

VOTER REGISTRATION COMMISSION[821]

Adopted and Filed

Rule making related to forms produced by electronic poll books

The Voter Registration Commission hereby amends Chapter 2, “Voter Registration Forms, Acceptability, Registration Dates, and Effective Dates,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 17A.4, 47.8 and 48A.11.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 48A.11.

Purpose and Summary

This rule provides county commissioners of elections with the option to utilize alternate voter registration forms produced by electronic poll books. Specifically, it allows for voter registration forms to be completed on an electronic poll book and then printed onto thermal receipt paper.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on July 3, 2019, as **ARC 4518C**. This rule making was also Adopted and Filed Emergency and published in the Iowa Administrative Bulletin as **ARC 4519C** on the same date. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on August 7, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on October 2, 2019, at which time the Adopted and Filed Emergency amendment is hereby rescinded.

The following rule-making action is adopted:

Adopt the following **new** rule 821—2.17(48A):

821—2.17(48A) Voter registration forms produced by electronic poll books. “*Electronic poll book*,” “*epollbook*,” “*e-poll book*,” or “*electronic register*” means hardware and software components used to verify and process voting activity and changes in voter registration and to check in voters. This definition includes e-poll books in use in the commissioner’s office. However, this definition does not apply to the I-VOTERS statewide voter registration database.

2.17(1) At the discretion of the commissioner, an electronic poll book may be used to produce an alternate registration form. The alternate registration form may be completed by the voter, an election official, or an individual offering assistance at the direction and in the presence of the voter.

2.17(2) The electronic poll book shall print the alternate registration form, and the registrant shall sign the registration form produced by the electronic poll book. A signature or marking made in accordance with Iowa Code section 39.3(17) shall be accepted. The use of an electronic signature is not permitted.

2.17(3) Pursuant to Iowa Code section 48A.11, the form shall contain spaces for all the required and optional information solicited by the standard form, a list of the qualifications to register to vote, a statement to be signed by the applicant that the applicant is eligible to register to vote, and a statement of the penalty for submission of a false voter registration form.

2.17(4) If thermal receipt paper is used to print the alternate registration form, the commissioner shall endeavor to store the printed forms in a dark room with limited exposure to ultraviolet (UV) light, relative humidity between 45 percent and 65 percent, and temperature below 77 degrees Fahrenheit to assure preservation. The commissioner shall store an unaltered version of the completed registration application, including the applicant’s signature, as an electronic document. The electronic version of the registration application shall be uploaded and attached to the voter’s electronic record stored in the statewide voter registration database within 60 days of completion. The electronic document shall be kept for the retention period prescribed by Iowa Code section 48A.32. Once the alternate registration form is stored electronically, the original thermal paper document may be destroyed in accordance with Iowa Code section 48A.35.

2.17(5) If paper at least as thick as 20-pound xerographic paper is used to print the alternate registration form, the commissioner shall retain the form in accordance with Iowa Code sections 48A.32 and 48A.35.

2.17(6) All other types of paper shall require the approval of the commission prior to use.

[Filed 8/7/19, effective 10/2/19]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/28/19.